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7 CITY OF COTATI, OFFICER ANTHONY GARBER,
CORPORAL BRIAN DEATON

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CHRISTOPHER JAMES ALCALA,

Plaintiff,

14 CITY OF COTATI, OFFICER
15 ANTHONY GARBER, CORPORAL
16 BRIAN DEATON and DOES 1-50,
included.

Defendants.

Case No. 3:20-CV-03414-JCS

STIPULATION AND PROPOSED ORDER TO EXTEND DEADLINES

Hon. Jacqueline Scott Corley

Trial: April 11, 2022

After meeting and conferring on upcoming dates, the Parties by and through their counsel hereby stipulate and request a trial continuance and resetting of discovery and the dispositive motion hearing date. The parties have not sought a continuance of the dates before now.

Pursuant to FRCP 16(b)(4), there is good cause for this stipulation and request to reset the discovery cut off dates. The parties initially agreed to hold off on discovery based on the relatively agreed upon “disputed” facts and go to an early settlement conference. The case did not settle but calendar conflicts, then trial issues on other cases delayed the taking of the depositions of the plaintiff and defendants. It now has become clear that a major trial conflict has arisen for plaintiff counsel, Mr. Gohel.

1 Mr. Gohel is involved in a large RICO murder trial before Judge Chen, which relates to
2 the Hells Angels Motorcycle Club, US v Nelson, et. al. He represents the lead defendant
3 Jonathan Nelson. It was scheduled for trial in October 2021, but recently the trial was continued
4 to January 2022. Mr. Gohel had anticipated the April 11, 2022, trial date would not be in conflict,
5 given the length of the Nelson trial (likely about 5 months), but that is no longer the case.

6 The parties have various conflicts over the summer leading to conflicts in completing
7 discovery and ask the trial date to be continued, and discovery dates and dispositive motion dates
8 be reset accordingly.

9 The parties have met and conferred, and ask for any date convenient to the courts calendar
10 beginning Monday August 15, 2022. The trial estimate remains 4 days. The parties intend to
11 return to Judge Illman for a further settlement conference after the close of discovery.

12 For these reasons, the parties respectfully request the continued dates listed below.

13	Fact Discovery Cut- Off	October 17, 2021
14	Expert Witness Discovery	November 15, 2021
15	Rebuttal Expert Disclosure	December 12, 2021
16	Expert Discovery Cut-Off	January 17, 2022
17	Deadline for Hearing Dispositive Motions	March 10, 2022
18	Pretrial Conference	TBD by Court
19	Trial Date	August 15, 2022, or TBD by Court

Respectfully submitted,

Dated: June 16, 2021

ALLEN, GLAESSNER,
HAZELWOOD & WERTH, LLP

By: /s/ Dale L. Allen Jr.
DALE L. ALLEN JR.
KEVIN P. ALLEN
Attorneys for Defendants
CITY OF COTATI, OFFICER ANTHONY
GARBER, CORPORAL BRIAN DEATON

1 Dated: June 16, 2021
2

3 By: /s/ Jai Gohel
4 PATRICK CIOCCHA
5 JAI GOHEL
6 Attorneys for Plaintiff
7 CHRISTOPHER ALCALA

8 **IT IS SO ORDERED.**

9 DATED: _____
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11 By: _____
12 JACQUELINE SCOTT CORLEY
13 United States Magistrate Judge
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